



A33577 072396.0217  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ronald C. Montelaro et al.  
Serial No. : 09/785,059 Examiner : Liu, Samuel W.  
Filed : February 16, 2001 Group Art Unit : 1653  
For : VIRUS DERIVED ANTIMICROBIAL PEPTIDES

REQUEST FOR CONTINUED EXAMINATION AND  
AMENDMENT

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July 23, 2003

Date of Deposit

Rochelle K. Seide

Attorney Name

*Rochelle K. Seide*

Signature

32,300

PTO Registration No.

July 23, 2003

Date of Signature

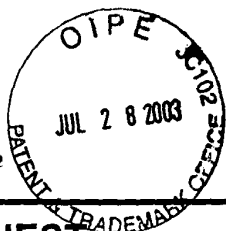
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Dear Sir:

This paper is being filed in response to the Advisory Action dated May 15, 2003 and the Office Action dated March 11, 2003 that were issued in connection with the above-identified patent application. Applicants respectfully request continued examination of the instant application pursuant to 35 U.S.C. §132(a) and 37 C.F.R. §1.114(a)(2) and enclose herewith the fee required pursuant to 37 C.F.R. §1.17(e). Applicants also enclose herewith a

Petition for Extension of Time pursuant to 37 C.F.R. §1.136(a) and the fee required under 37 C.F.R. §1.17(a)(2). Applicants respectfully request reconsideration of the instant application in view of the amendments and remarks presented herein.

BAKER BOTTS LLP



RCE 1600 \$  
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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/785,059
Filing Date	Feb. 16, 2001
First Named Inventor	Ronald C. Montelaro et al.
Group Art Unit	1653
Examiner Name	Liu, Samuel W.
Attorney Docket Number	A33577 072396.0217

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB129) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- ☐ Previously submitted
  - ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
  - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - ☐ Other \_\_\_\_\_
- ☒ Enclosed
  - ☒ Amendment/Reply
  - ☐ Affidavit(s)/Declaration(s)
  - ☐ Information Disclosure Statement (IDS)
  - ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-4377
  - ☒ RCE fee required under 37 C.F.R. § 1.17(e)
  - ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
  - ☒ Other Any additional charges under 37 CFR 1.16 and 1.117
- ☒ Check in the amount of \$ 760.00 enclosed
- ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Rochelle K. Seide	Registration No. (Attorney/Agent)	32,300
Signature	<i>Rochelle K. Seide</i>	Date	July 23, 2003

## CERTIFICATE OF MAILING OR TRANSMISSION

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Name (Print/Type)	Rochelle K. Seide	Date	July 23, 2003
Signature	<i>Rochelle K. Seide</i>		

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01 FC:1001

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07/30/2003 AUCNDAC1-000000104 09785059

01 FC:2601

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